



PUBLIC NOTICE

Federal Communications Commission
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COMMENTS INVITED ON APPLICATION OF AT&T SERVICES, INC. ON BEHALF OF AFFILIATES TO DISCONTINUE DOMESTIC TELECOMMUNICATIONS SERVICES

WC Docket No. 16-13
Comp. Pol. File No. 1274

Comments Due: February 16, 2016

Section 214 Application

Applicant: AT&T Services, Inc. on behalf of AT&T Alaska d/b/a AT&T Corp.; AT&T Communications of Indiana, LLC d/b/a AT&T Corp.; AT&T Communications of New York, Inc. d/b/a AT&T Corp.; AT&T Communications of Texas, LLC d/b/a AT&T Corp.; AT&T Communications of Virginia, LLC d/b/a AT&T Corp.; AT&T Corp.; BellSouth Telecommunications, LLC d/b/a AT&T Southeast (AT&T Alabama, AT&T Florida, AT&T Georgia, AT&T Kentucky, AT&T Louisiana, AT&T Mississippi, AT&T North Carolina, AT&T South Carolina, and AT&T Tennessee); BellSouth Long Distance d/b/a AT&T Long Distance Service; Illinois Bell Telephone Company d/b/a AT&T Illinois; Indiana Bell Telephone Company, Inc. d/b/a AT&T Indiana; Michigan Bell Telephone Company d/b/a AT&T Michigan; The Ohio Bell Telephone Company d/b/a AT&T Ohio; Pacific Bell Telephone Company d/b/a AT&T California and AT&T Nevada; SBC Long Distance d/b/a AT&T Long Distance; Southwestern Bell Telephone Company d/b/a AT&T Southwest (AT&T Arkansas, AT&T Kansas, AT&T Missouri, AT&T Oklahoma, and AT&T Texas); Teleport Communications of America, LLC d/b/a AT&T Corp.; Teleport Communications Group d/b/a AT&T Corp.; and Wisconsin Bell, Inc. d/b/a AT&T Wisconsin

On January 6, 2016, AT&T Services, Inc. (AT&T or Applicant) filed an application with the Federal Communications Commission (FCC or Commission) on behalf of its affiliates, AT&T Alaska d/b/a AT&T Corp.; AT&T Communications of Indiana, LLC d/b/a AT&T Corp.; AT&T Communications of New York, Inc. d/b/a AT&T Corp.; AT&T Communications of Texas, LLC d/b/a AT&T Corp.; AT&T Communications of Virginia, LLC d/b/a AT&T Corp.; AT&T Corp.; BellSouth Telecommunications, LLC d/b/a AT&T Southeast (AT&T Alabama, AT&T Florida, AT&T Georgia, AT&T Kentucky, AT&T Louisiana, AT&T Mississippi, AT&T North Carolina, AT&T South Carolina, and AT&T Tennessee); BellSouth Long Distance d/b/a AT&T Long Distance Service; Illinois Bell Telephone Company d/b/a AT&T Illinois; Indiana Bell Telephone Company, Inc. d/b/a AT&T Indiana; Michigan Bell Telephone Company d/b/a AT&T Michigan; The Ohio Bell Telephone Company d/b/a AT&T Ohio; Pacific Bell Telephone Company d/b/a AT&T California and AT&T Nevada; SBC Long Distance d/b/a AT&T Long Distance; Southwestern Bell Telephone Company d/b/a AT&T Southwest (AT&T Arkansas, AT&T Kansas, AT&T Missouri, AT&T Oklahoma, and AT&T Texas); Teleport Communications of America, LLC d/b/a AT&T Corp.; Teleport Communications Group d/b/a AT&T Corp.; and Wisconsin Bell, Inc. d/b/a AT&T Wisconsin (collectively, AT&T Affiliates or AT&T), located at 60 West Avenue,

Room 405, Wayne, PA 19087, requesting authority, under section 214 of the Communications Act of 1934, as amended,¹ and section 63.71 of the Commission's rules,² to discontinue certain domestic telecommunications services throughout its service areas throughout the United States, including the District of Columbia and the U.S. territories of Puerto Rico and the U.S. Virgin Islands (Service Areas).³ On January 7, 2016, AT&T refiled its application to amend and correct the original with respect to the proposed discontinuance date.⁴ Accordingly, AT&T's application is deemed complete as of January 7, 2016.

AT&T indicates that the AT&T Affiliates currently offer certain operator services, including Billed to Third Party (a/k/a Bill to a Third Number), Busy Line Interruption (BLI) and Busy Line Verification (BLV) (a/k/a Busy Line Verify/Interrupt, Local Operator Verification/Interrupt, Local Verification/Interrupt or Verification and Emergency Interrupt), Collect Calling (a/k/a Collect or Collect Calls), International Directory Assistance, and Person-to-Person Calling in the Service Areas (Affected Services).⁵ AT&T asserts, however, that there has been low market demand for the Affected Services. AT&T specifies that AT&T operator assistance traffic volumes have dropped by 93% since 2004, and that AT&T operator services traffic volumes have declined an average of more than 18.7% over the last two years.⁶ Accordingly, AT&T submits that the AT&T Affiliates plan to discontinue the Affected Services to retail customers in the Service Areas on or after March 18, 2016, and intend to discontinue the Affected Services to wholesale customers in the Service Areas on or after June 4, 2016, subject to Commission authorization.⁷ AT&T indicates that the AT&T Affiliates sent notice of the proposed discontinuance to all

¹ 47 U.S.C. § 214.

² 47 CFR § 63.71.

³ See Section 63.71 Application of AT&T Alaska; AT&T Communications of Indiana, LLC; AT&T Communications of New York, Inc.; AT&T Communications of Texas, LLC; AT&T Communications of Virginia, LLC; AT&T Corp.; BellSouth Telecommunications, LLC; BellSouth Long Distance; Illinois Bell Telephone Company; Indiana Bell Telephone Company, Inc.; Michigan Bell Telephone Company; The Ohio Bell Telephone Company; Pacific Bell Telephone Company; SBC Long Distance; Southwestern Bell Telephone Company; Teleport Communications of America, LLC; Teleport Communications Group; and Wisconsin Bell, Inc. for Authority Pursuant to Section 214 of the Communications Act of 1934, As Amended, to Discontinue the Provision of Service, WC Docket No. 16-13 (filed Jan. 6, 2016), <http://apps.fcc.gov/ecfs/comment/view?id=60001372231> (Application).

⁴ See Letter from Terri L. Hoskins, General Attorney, AT&T Services, Inc., to Marlene H. Dortch, Secretary, FCC, WC Docket No. 16-13 (filed Jan. 7, 2016), <http://apps.fcc.gov/ecfs/comment/view?id=60001372305> (Amended Application).

⁵ Amended Application, Attach. at 4. AT&T explains that Billed to Third Party is a billing arrangement by which an operator assistance call may be charged to an authorized station other than the station originating the call or the station where the call is terminated. *Id.* AT&T further explains that Busy Line Interruption is an operator service that allows an operator to interrupt a voice conversation in progress to advise the interrupted subscriber that the interrupting party has a need to reach the subscriber. *Id.* According to the Applicant, Busy Line Verification is an operator service that allows an operator to establish a "talking" connection to an apparently busy station line to determine if the station line is in working order. *Id.* AT&T describes Collect Calling as a billing arrangement by which the charge for an operator assistance call may be reversed (charged to the called station) provided the charge is accepted at the called station. *Id.* International Directory Assistance is defined by the Applicant as a service that allows customers to obtain telephone numbers for international locations. *Id.* The Applicant also indicates that Person-to-Person Calling is a service that allows the person originating an operator assistance call to specify to the operator a particular person to be reached, a particular mobile service point to be reached through a Mobile Telephone Service attendant, or a particular PBX service point, department, or office to be reached. *Id.*

⁶ Amended Application, Attach. at 4-5.

⁷ Amended Application, Attach. at 3. AT&T states that the proposed discontinuance does not apply to the operator services that AT&T Corp. local residential customers in Maine, New Hampshire and Vermont receive from

affected customers by U.S. Mail as an attachment to each customer's monthly bill between September 28, 2015 and December 31, 2015.⁸ AT&T states that copies of the customer notifications were also posted in several locations on its website.⁹ In addition, AT&T asserts that, as of October 10, 2015, AT&T operators have informed customers that use any of the Affected Services of the proposed discontinuance, and that operators have provided customers that call with a phone number where they can obtain additional information.¹⁰ The Applicant maintains that the public convenience and necessity will not be adversely affected by the proposed discontinuance because other providers continue to provide operator services, and the majority of the market has already replaced these services with other communications services and/or applications.¹¹ AT&T explains that these services are offered by AT&T affiliates that are considered non-dominant as well as by AT&T affiliates that are considered dominant with respect to the Affected Services. AT&T nevertheless asserts that, for ease of administration, the present application may be reviewed pursuant to the Commission's rules for dominant providers.¹²

In accordance with section 63.71(e) of the Commission's rules, AT&T's application will be deemed granted automatically on March 15, 2016, the 60th day after the release date of this Public Notice, unless the Commission notifies AT&T that the grant will not be automatically effective.¹³ We note that the date on which an application for Commission authorization is deemed granted may be different from the date on which an applicant is authorized to discontinue, reduce, or impair service. In the Application, AT&T indicates that the AT&T Affiliates plan to discontinue the Affected Services to retail customers in the Service Areas on or after March 18, 2016, and to discontinue the Affected Services to wholesale customers in the Service Areas on or after June 4, 2016, subject to Commission authorization. Accordingly, pursuant to section 63.71(e), and the terms of the Application, absent further Commission action, the AT&T Affiliates may discontinue, reduce or impair the Affected Services to retail customers in the Service Areas on or after **March 18, 2016**, and may discontinue, reduce or impair the Affected Services to wholesale customers in the Service Areas on or after **June 4, 2016**, in accordance with AT&T's filed representations. The Commission normally will authorize proposed discontinuances of service unless it is shown that customers or other end users would be unable to receive service or a reasonable substitute from another carrier, or that the public convenience and necessity would be otherwise adversely affected. For purposes of computation of time when filing a petition for reconsideration, application for review, or petition for judicial review of the Commission's decision, the date of "public notice" shall be the latter of the auto grant date stated above in this Public Notice, or the release date of any further public notice or order announcing final action, as applicable. Should no petitions for reconsideration, applications for review, or petitions for judicial review be timely filed, the proceeding listed in this Public Notice shall be terminated, and the docket will be closed.

FairPoint Communications through AT&T's agreement with FairPoint. AT&T clarifies, however, that the proposed discontinuance does apply to interstate operator services provided by AT&T Corp. to residential and business customers in those states. Amended Application, Attach. at 3 n.2.

⁸ Amended Application, Attach. at 5.

⁹ *Id.* at 5-6.

¹⁰ *Id.* at 6.

¹¹ *Id.* at 6-7.

¹² *Id.* at 6.

¹³ See 47 C.F.R. § 63.71(e) (stating, in relevant part, that an application filed by a dominant carrier "shall be automatically granted on the 60th day... unless the Commission has notified the applicant that the grant will not be automatically effective").

Comments objecting to this application must be filed with the Commission on or before **February 16, 2016**. Such comments should refer to **WC Docket No. 16-13 and Comp. Pol. File No. 1274**. Comments should include specific information about the impact of this proposed discontinuance on the commenter, including any inability to acquire reasonable substitute service. Comments may be filed using the Commission's Electronic Comment Filing System (ECFS) or by filing paper copies.¹⁴ All filings must be addressed to the Commission's Secretary, Office of the Secretary, Federal Communications Commission. Comments may be filed electronically using the Internet by accessing the ECFS: <http://apps.fcc.gov/ecfs>. Filers should follow the instructions provided on the Web site for submitting comments. Generally, only one copy of an electronic submission must be filed. In completing the transmittal screen, filers should include their full name, U.S. Postal Service mailing address, and the applicable docket number.

Parties who choose to file by paper must file an original and one copy of each filing. Filings can be sent by hand or messenger delivery, by commercial overnight courier, or by first-class or overnight U.S. Postal Service mail. All hand-delivered or messenger-delivered paper filings for the Commission's Secretary must be delivered to FCC Headquarters at 445 12th Street, S.W., Room TW-A325, Washington, D.C. 20554. The filing hours are Monday through Friday, 8:00 a.m. to 7:00 p.m. All hand deliveries must be held together with rubber bands or fasteners. Any envelopes and boxes must be disposed of before entering the building. Commercial overnight mail (other than U.S. Postal Service Express Mail and Priority Mail) must be sent to 9300 East Hampton Drive, Capitol Heights, MD 20743. U.S. Postal Service first-class, Express, and Priority mail must be addressed to 445 12th Street, S.W., Washington, D.C. 20554.

Copies of the comments may also be sent to the Competition Policy Division, Wireline Competition Bureau, Federal Communications Commission, 445 12th Street, S.W., Room 5-C140, Washington, D.C. 20554, Attention: Carmell Weathers, or faxed to the FCC at (202) 418-1413, Attention: Carmell Weathers. In addition, comments should be served upon the Applicant.

This proceeding is considered a "permit but disclose" proceeding for purposes of the Commission's *ex parte* rules.¹⁵ Participants in this proceeding should familiarize themselves with the Commission's *ex parte* rules. Persons making *ex parte* presentations must file a copy of any written presentation or a memorandum summarizing any oral presentation within two business days after the presentation (unless a different deadline applicable to the Sunshine period applies). Persons making oral *ex parte* presentations are reminded that memoranda summarizing the presentation must (1) list all persons attending or otherwise participating in the meeting at which the *ex parte* presentation was made, and (2) summarize all data presented and arguments made during the presentation. If the presentation consisted in whole or in part of the presentation of data or arguments already reflected in the presenter's written comments, memoranda or other filings in the proceeding, the presenter may provide citations to such data or arguments in his or her prior comments, memoranda, or other filings (specifying the relevant page and/or paragraph numbers where such data or arguments can be found) in lieu of summarizing them in the memorandum. Documents shown or given to Commission staff during *ex parte* meetings are deemed to be written *ex parte* presentations and must be filed consistent with rule 1.1206(b).

People with Disabilities: To request materials in accessible formats for people with disabilities (Braille, large print, electronic files, audio format), send an e-mail to fcc504@fcc.gov or call the Consumer & Governmental Affairs Bureau at (202) 418-0530 (voice), (888) 835-5322 (tty).

¹⁴ See *Electronic Filing of Documents in Rulemaking Proceedings*, 63 FR 24121 (1998).

¹⁵ 47 CFR § 1.1200 *et seq.*

For further information, contact Carmell Weathers, (202) 418-2325 (voice), Carmell.Weathers@fcc.gov, or Rodney McDonald, (202) 418-7513 (voice), Rodney.McDonald@fcc.gov, of the Competition Policy Division, Wireline Competition Bureau. The tty number is (888) 835-5322. For further information on procedures regarding section 214 please visit <https://www.fcc.gov/encyclopedia/domestic-section-214-discontinuance-service>.

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